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Date: October 7, 2003

Must Be Sent By:

To: Khanh H. Le

Fax No: 703 872 9326

Company: USPTO

Phone No: 703-305-0571

From: Steven Moore

Phone No: (203) 965-8254

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U.S. Appl. No. 09/849,495
Response to Office Action Mailed 7/26/2003
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PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT(S):	Khoo <i>et al.</i>	GROUP ART UNIT:	3622
APPLICATION SERIAL NO.:	09/849,495	EXAMINER:	Le, Khanh H. Tel.: 703-305-0571
FILING DATE:	May 4, 2001	ATTORNEY DOCKET NO.:	IND-106
TITLE OF APPLICATION:	Method and System for Providing Content with an Option		

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**SUBSTITUTE AMENDMENT AND RESPONSE TO OFFICE ACTION OF
FEBRUARY 26, 2003 PURSUANT TO 37 C.F.R. § 1.111**

I. INTRODUCTORY COMMENTS

Sir:

Applicants respectfully submit this document as responsive to the above referenced office action and/or communication from the USPTO.

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• Location of Specified Sections for Scanning

SECTIONS OF DOCUMENT	LOCATION OF SECTION
I. INTRODUCTORY COMMENTS	Page 1
II. RESPONSE TO RESTRICTION	Pages 4
III. AMENDMENTS TO THE CLAIMS	Pages 5 - 10
AMENDMENTS TO THE DRAWINGS	N/A
IV. REMARKS	Pages 11 - 15
APPENDIX	N/A

• Request for Entrance of Response

Applicants respectfully requests that the following response be entered as responsive to the February 26, 2003 (paper no. 8) office action ("Office Action").

• Requests for Extension/ Fees Due

Applicants had requested a three month extension to the shortened statutory period for response set forth in the outstanding Office Action in the "Amendment and Response to Office Action dated August 21, 2003" with the requisite fee of \$465 enclosed. This substitute amendment replaces such amendment and response, therefore it is asserted no fee is due. While such sum is believed to be that due with this response, the Commissioner is hereby authorized to charge any fees that may be required, or credit any overpayment, to Deposit Account 033-975.

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■ **Format of this Response**

This response is submitted in compliance with the revised format for making amendments to the specification, claims and drawings officially adopted by the USPTO on July 30, 2003, and which is now reflected in 37 C.F.R. §1.121.

Only one version of the claims with markings to show changes are provided in accordance with such regulation (underlining to show additions and strike-through marks or [[]] (for deletion of five or less characters) to indicate deleted material). A detailed listing of all claims that are, or were in the application, delineated as either (Original), (Currently Amended), (Canceled), (Withdrawn), (Previously presented), (New), or (Not entered), are presented. A complete listing of the claims commence on a separate sheet of this document with the text of "canceled" or "not entered" claims not being presented as set forth in the revised rules. As such claims are not to be presented, concurrent "canceled" or "not entered" claims may be aggregated in respect of delineation of status. Withdrawn claims and claims unamended are shown without mark-up.

If a substitute specification is submitted herein, a clean form and marked-up version are included. Amendments to drawings, if any, are submitted in compliance with 37 C.F.R. §1.84 on replacement sheets as an attachment to this document (with an accompanying detailed explanation of all of the changes with respect to the drawings made in the remarks section of this amendment.

It is respectfully asserted that the amendments made herein to the claims do not add new matter to the application.

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II. RESPONSE TO RESTRICTION REQUIREMENT

The Examiner has issued a restriction of the claimed invention into the following alleged species.

I. Claims 1-6, 14-19 as drawn to methods, system and/or apparatus classifiable in class/subclass 705/14.

II. Claims 7-11, 13 as related to movies, sports events, drama series, news events, miniseries, as in class/subclass 348/14.01.

III. Claims 20-28 are related to audio systems, as in class/subclass 381/1.

The Group I claims are now under examination and Groups II and III have been withdrawn from consideration by the Examiner.

Applicant affirms previous provisional election of group I subject matter for prosecution in this application but reserves the right to prosecute the withdrawn claims in a separate application.

Pursuant to the Examiner's requirement, Applicant further elects with traverse the species as claimed in new claim 31 which is directed to offering the option over a content display device. As one of ordinary skill in this art would know, the communication between content provider and content viewer/user is facilitated by way of a data network which can be tapped in a number of different ways or forms, including the content display device, intelligent television, computer, personal digital assistant, cellular telephone and any other means of access as may reach the market place and benefit this system. Thus, in traverse, the Applicant asserts that the restriction requirement to a single species is an unwarranted limitation and curtailment of the scope and practical realization of the possible embodiments of the invention as presently claimed.

Applicant also affirms that cancellation of the withdrawn original claims 7, 11, 13 and 20-28 (actually numbers 7-12, and 19-27) does not affect the named inventorship of this application as claimed in the claims set forth below.

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